

STAYED, TYPE I-FOIA

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-01713-DLF**

FIGUEROA v. DEPARTMENT OF DEFENSE et al
Assigned to: Judge Dabney L. Friedrich
Case: 1:18-cv-01393-DLF
Cause: 05:552 Freedom of Information Act

Date Filed: 08/23/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**ANTONIO FIGUEROA**

represented by **Jason W. Manne**
MANNE LAW OFFICE
P.O. Box 81860
Pittsburgh, PA 15217
(724) 635-5718
Fax: (412) 421-8571
Email: jmanne@lawmanne.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**UNITED STATES DEPARTMENT
OF DEFENSE**

represented by **Kenneth A. Adebomojo**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2562
Fax: (202) 252-2599
Email: kenneth.adebonojo@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Doris Denise Coles-Huff
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2557
Fax: (202) 252-2599
Email: doris.coles@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant**UNITED STATES DEPARTMENT
OF THE AIR FORCE**

represented by **Kenneth A. Adebomojo**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Doris Denise Coles-Huff
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/23/2017	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0090-5085793) filed by ANTONIO FIGUEROA. (Attachments: # <u>1</u> Exhibit Exhibit

		"A", # <u>2</u> Exhibit Exhibit "B", # <u>3</u> Exhibit Exhibit "C", # <u>4</u> Exhibit Exhibit "D", # <u>5</u> Exhibit Exhibit "E", # <u>6</u> Exhibit Exhibit "F", # <u>7</u> Exhibit Exhibit "G", # <u>8</u> Exhibit Exhibit "H", # <u>9</u> Civil Cover Sheet, # <u>10</u> Summons Summons AF, # <u>11</u> Summons Summons AF, # <u>12</u> Summons Summons DoD, # <u>13</u> Summons Summons US Atty)(Manne, Jason) (Entered: 08/23/2017)
08/23/2017	<u>2</u>	ERRATA <i>Correcting caption page and summonses</i> by ANTONIO FIGUEROA <u>1</u> Complaint,, filed by ANTONIO FIGUEROA. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Manne, Jason) (Entered: 08/23/2017)
08/23/2017		Case Assigned to Judge Amy Berman Jackson. (jd) (Entered: 08/24/2017)
08/24/2017	<u>3</u>	SUMMONS (2) Issued Electronically as to UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Forms)(jd) (Entered: 08/24/2017)
09/27/2017	<u>4</u>	Consent MOTION for Extension of Time to <i>File Defendants' Answer or Other Response to Plaintiff's Complaint</i> by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Adebonojo, Kenneth) (Entered: 09/27/2017)
09/28/2017		MINUTE ORDER granting <u>4</u> Motion for Extension of Time. Defendants must file a responsive pleading by October 30, 2017. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/28/2017. (lcabj2) (Entered: 09/28/2017)
09/28/2017		Set/Reset Deadlines: Defendants' responsive pleading due by 10/30/2017. (hmc) (Entered: 09/29/2017)
10/30/2017	<u>5</u>	Consent MOTION for Extension of Time to <i>File Defendants' Answer or Other Response to Plaintiff's Complaint</i> by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Adebonojo, Kenneth) (Entered: 10/30/2017)
10/30/2017		MINUTE ORDER granting <u>5</u> Motion for Extension of Time. Defendants must file a responsive pleading by November 30, 2017. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/30/2017. (lcabj2) (Entered: 10/30/2017)
11/30/2017	<u>6</u>	Consent MOTION for Extension of Time to <i>File Defendants' Answer or Other Response to Plaintiff's Complaint</i> by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Adebonojo, Kenneth) (Entered: 11/30/2017)
12/01/2017		MINUTE ORDER granting <u>6</u> Motion for Extension of Time. Defendants must file a responsive pleading by December 22, 2017. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/1/2017. (lcabj2) (Entered: 12/01/2017)
12/01/2017		Set/Reset Deadlines: Answer due by 12/22/2017. (tb) (Entered: 12/01/2017)
12/04/2017		Case directly reassigned to Judge Dabney L. Friedrich. Judge Amy Berman Jackson is no longer assigned to the case. (ztnr) (Entered: 12/04/2017)
12/22/2017	<u>7</u>	Consent MOTION for Extension of Time to <i>File Defendants' Answer or Other Response to Plaintiff's Complaint</i> by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Adebonojo, Kenneth) (Entered: 12/22/2017)
12/30/2017		MINUTE ORDER granting <u>7</u> Consent Motion for Extension of Time. Accordingly, Defendants shall file an answer or other response to Plaintiff's complaint on or before January 9, 2018. Signed by Judge Dabney L. Friedrich on December 30, 2017. (JPF) (Entered: 12/30/2017)
12/30/2017		Set/Reset Deadlines: Answer due by January 9, 2018. (JPF) (Entered: 12/30/2017)
01/09/2018	<u>8</u>	Consent MOTION for Extension of Time to <i>File Defendants' Answer or Other Response to Plaintiff's Complaint</i> by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Adebonojo, Kenneth) (Entered: 01/09/2018)

01/09/2018		MINUTE ORDER. Upon consideration of <u>8</u> Consent Motion for Extension of Time, it is hereby ORDERED that the motion is GRANTED. Accordingly, Defendants shall file an answer or other response to <u>1</u> Plaintiff's complaint on or before January 31, 2018. Signed by Judge Dabney L. Friedrich on January 9, 2018. (JPF) (Entered: 01/09/2018)
01/31/2018	<u>9</u>	Consent MOTION for Extension of Time to <i>File Defendants' Answer or Other Response to Plaintiff's Complaint</i> by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Adebonojo, Kenneth) (Entered: 01/31/2018)
02/01/2018		MINUTE ORDER granting <u>9</u> Consent Motion for Extension of Time. It is ORDERED that Defendants shall file an answer or other response to Plaintiff's <u>1</u> Complaint on or before February 28, 2018. Signed by Judge Dabney L. Friedrich on February 1, 2018. (JPF) (Entered: 02/01/2018)
02/28/2018	<u>10</u>	Consent MOTION for Extension of Time to <i>File Defendants' Answer or Other Response to Plaintiff's Complaint</i> by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Adebonojo, Kenneth) (Entered: 02/28/2018)
03/01/2018		MINUTE ORDER granting the parties' <u>10</u> Consent Motion for Extension of Time. Accordingly, it is ORDERED that the defendants shall answer or otherwise respond to the complaint on or before March 16, 2018. Signed by Judge Dabney L. Friedrich on March 1, 2018. (JPF) (Entered: 03/01/2018)
03/16/2018	<u>11</u>	ANSWER to <u>1</u> Complaint by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE.(Adebonojo, Kenneth) Modified to add link on 3/19/2018 (znmw). (Entered: 03/16/2018)
04/03/2018		MINUTE ORDER. It is ORDERED that the parties shall MEET AND CONFER and file a joint status report on or before April 24, 2018 addressing the FOIA request at issue and any proposed production or briefing schedules. Signed by Judge Dabney L. Friedrich on April 3, 2018. (JPF) (Entered: 04/03/2018)
04/24/2018	<u>12</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE. (Adebonojo, Kenneth) (Entered: 04/24/2018)
04/25/2018		MINUTE ORDER. As proposed by the parties' <u>12</u> Joint Status Report, it is ORDERED that the following schedule shall govern further proceedings: (1) the defendants shall supply any additional release of documents or segregable factual material by May 11, 2018; (2) the defendants' motion for summary judgment or dismissal is due by July 11, 2018; (3) the plaintiff's response, including any cross-motion for summary judgment and Rule 56(f) motion on the Privacy Act claim, is due by August 10, 2018; (4) the defendants' reply and, if applicable, opposition is due by August 24, 2018; and (5) if applicable, the plaintiff's reply is due by September 7, 2018. The Vaughn index/declaration and search affidavits are to be supplied with the defendants' motion for summary judgment. Signed by Judge Dabney L. Friedrich on April 25, 2018. (JPF) (Entered: 04/25/2018)
07/11/2018	<u>13</u>	MOTION for Extension of Time to <i>File Defendants Motion For Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Adebonojo, Kenneth) (Entered: 07/11/2018)
07/13/2018		MINUTE ORDER granting the defendants' <u>13</u> Consent Motion to Enlarge Time. Accordingly, it is ORDERED that the defendants shall file their motion for summary judgment on or before August 10, 2018. Signed by Judge Dabney L. Friedrich on July 13, 2018. (JPF) (Entered: 07/13/2018)
07/13/2018		Set/Reset Deadlines: Motion for summary judgment due by 8/10/2018. (jl) (Entered: 07/13/2018)
08/09/2018	<u>14</u>	Consent MOTION for Extension of Time to <i>File Defendants' Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Adebonojo, Kenneth) (Entered: 08/09/2018)

08/20/2018		MINUTE ORDER adopting the proposal in the defendants' <u>14</u> Motion to Enlarge Time to File Defendants' Motion for Summary Judgment. It is ORDERED that (1) the defendant shall file its Motion for Summary Judgment on or before September 10, 2018, (2) the plaintiff shall submit his Opposition or Cross-Motion on or before October 9, 2018, (3) the defendant shall file its reply and opposition on or before October 31, 2018, and (4) the plaintiff shall file his reply on or before November 10, 2018. Signed by Judge Dabney L. Friedrich on August 20, 2018. (lcldf2) (Entered: 08/20/2018)
09/10/2018	<u>15</u>	MOTION for Extension of Time to <i>File Defendants' Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Adebonojo, Kenneth) (Entered: 09/10/2018)
09/10/2018	<u>16</u>	RESPONSE re <u>15</u> MOTION for Extension of Time to <i>File Defendants' Motion for Summary Judgment</i> filed by ANTONIO FIGUEROA. (Manne, Jason) (Entered: 09/10/2018)
09/10/2018	17	MINUTE ORDER granting defendants' <u>15</u> Motion for Extension of Time to File Defendants' Motion for Summary Judgment. It is ORDERED that (1) the defendants shall file their Motion for Summary Judgment on or before October 2, 2018, (2) the plaintiff shall submit his Opposition or Cross-motion on or before November 6, 2018, (3) the defendants shall file their reply and opposition on or before November 30, 2018, and (4) the plaintiff shall file his reply on or before December 10, 2018. No further extensions will be granted. Signed by Dabney L. Friedrich on September 10, 2018. (lcldf1) (Entered: 09/10/2018)
09/11/2018		Set/Reset Deadlines: Motion for Summary Judgment due by 10/2/2018. Opposition or Cross Motion due by 11/6/2018. Defendant's reply and opposition due by 11/30/2018. Plaintiff's reply due by 12/10/2018. (jl) (Entered: 09/11/2018)
10/02/2018	<u>18</u>	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(Adebonojo, Kenneth) (Entered: 10/02/2018)
11/02/2018	<u>19</u>	Consent MOTION for Leave to File <i>Supplementary Declarations to Defendants' Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Attachments: # <u>1</u> Exhibit)(Adebonojo, Kenneth) (Entered: 11/02/2018)
11/02/2018		MINUTE ORDER granting the defendants' <u>19</u> Consent Motion for Leave to File Supplemental Declarations to Defendants' Motion for Summary Judgment. Accordingly, it is ORDERED that (1) the defendant's motion is granted, (2) the declarations of Jennifer A. Nikolaisen and Rita Sono are incorporated into the defendants' motion for summary judgment and the plaintiff shall consider them, if necessary, in any opposition he files. It is further ORDERED that (1) the plaintiff shall submit his Opposition or Cross-motion on or before December 6, 2018, (2) the defendants shall file their Reply and Opposition on or before December 31, 2018, and (4) the plaintiff shall file his Reply on or before January 10, 2018. Signed by Dabney L. Friedrich on November 2, 2018. (lcldf1) (Entered: 11/02/2018)
11/02/2018		Set/Reset Deadlines/Hearings: Plaintiff's Opposition or Cross-motion due by 12/6/2018. Defendant's Reply and Opposition due by 12/31/2018. Plaintiff's Reply due by 1/10/2019. (jl) (Entered: 11/05/2018)
11/13/2018	<u>20</u>	RESPONSE re <u>18</u> MOTION for Summary Judgment filed by ANTONIO FIGUEROA. (Attachments: # <u>1</u> Exhibit Exhibit I, # <u>2</u> Exhibit Exhibit J, # <u>3</u> Exhibit Exhibit K, # <u>4</u> Text of Proposed Order)(Manne, Jason) (Entered: 11/13/2018)
11/13/2018	<u>21</u>	RESPONSE re <u>18</u> MOTION for Summary Judgment (<i>Response to Statement of Material Facts</i>) filed by ANTONIO FIGUEROA. (Manne, Jason) (Entered: 11/13/2018)
12/31/2018	<u>22</u>	MOTION to Stay by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Attachments: # <u>1</u> Text of Proposed Order)(Coles-Huff, Doris) (Entered: 12/31/2018)

01/03/2019		MINUTE ORDER granting the defendants' unopposed <u>22</u> Motion for Stay of All Proceedings in Light of Lapse of Appropriations. Accordingly, it is ORDERED that this case is STAYED until Congress has restored appropriations to the Department of Justice. It is further ORDERED that the defendants shall promptly notify the Court as soon as appropriations are restored, and at that time the parties shall file a joint status report proposing a revised briefing schedule. Signed by Judge Dabney L. Friedrich on January 3, 2019. (lcdlf1) (Entered: 01/03/2019)
01/31/2019	<u>23</u>	NOTICE of Restored Government Funding by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Adebonojo, Kenneth) (Entered: 01/31/2019)
01/31/2019	<u>24</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE. (Adebonojo, Kenneth) (Entered: 01/31/2019)
01/31/2019		MINUTE ORDER adopting the proposal in the parties' <u>24</u> Status Report. Accordingly, it is ORDERED that the defendants shall file a reply on or before February 19, 2019. It is further ORDERED that, if the defendants' reply includes additional declarations, then the plaintiff may file a sur-reply within 21 days of the defendant's reply. Signed by Judge Dabney L. Friedrich on January 31, 2019. (lcdlf1) (Entered: 01/31/2019)
02/19/2019	<u>25</u>	Consent MOTION for Extension of Time to <i>File a Reply to Plaintiff's Opposition to Defendants' Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE AIR FORCE (Adebonojo, Kenneth) (Entered: 02/19/2019)